

### SUMMARY OF SUBMISSIONS – TECHNICAL AND DRAFTING

This table is a summary of submissions on technical and drafting issues lodged for this award on or before 5.00pm on 24 February 2017.

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
1	SDA	<a href="#">Sub-18/01/17</a>	1.2	<b>Title and commencement</b> Variations do not have retrospective application to 2010, except in very limited circumstances.	Page 3	This issue will be determined by the Award Stage–Group 3 Full Bench and applied generally.
	AIG	<a href="#">ReplySub-22/02/17</a>		Agrees with SDA. As this clause appears in all EDs, this is a matter of general significance. Has raised issue before but no determination yet.	Para 8	
2	SDA	<a href="#">Sub-18/01/17</a>	2	<b>Definitions</b> Notes ‘ <i>minimum hourly rate</i> ’ is used in definition of standard rate. Proposes retention of current wording re hourly rates, or, where term ‘ <i>minimum hourly rate</i> ’ is used, reference is to ‘ <i>the appropriate minimum hourly rate</i> ’ or proper classification for the employee(s) in question.	Page 2-3	
	AWU	<a href="#">Sub-20/01/17</a>		Submits ‘ <i>minimum hourly rate</i> ’ may cause confusion. Current wording should be retained or other wording inserted.	Paras 3-4	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not agree with AWU and SDA.	Paras 6-7	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Disagree with AWU’s submission that phrase ‘ <i>minimum hourly rate</i> ’ may cause confusion, noting <a href="#">[2015] FWCFB 4658</a> .	Para 11.1	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
	BusSA	<a href="#">ReplySub-22/02/17</a>		Disagrees with AWU's submission regarding phrase ' <i>minimum hourly rate</i> ', referring to paras [42]-[43] of <a href="#">[2015] FWCFB 4658</a> .	Para 2.14	
	SDA	<a href="#">ReplySub-24/02/17</a>		Reference to ' <i>minimum hourly rate</i> ' may be confusing.	Paras 2-3	
3	ABI & NSWBC	<a href="#">Sub-18/01/17</a>	5	<b>Effect of variations made by the Fair Work Commission</b> Submit clause is more appropriately located as a sub-clause of the 'Title and Commencement' clause.	Paras 2.1-2.2	Provision is contained as a discrete clause in all Group 4 EDs in accordance with plain language principles <a href="#">[2016] FWC 2924</a> , see para [4].
4	AIG	<a href="#">Sub-18/01/17</a>	7.2	<b>Facilitative provisions</b> References to clauses 22.4 and 22.5 should be deleted as they are not facilitative provisions.	Paras 77-80	
5	AIG	<a href="#">Sub-18/01/17</a>	10.1(c)	<b>Part-time employees</b> Clause 10.1(c) should be deleted and a new clause 10.9 inserted. Provides suggested wording.	Paras 81-85	
	AWU	<a href="#">ReplySub-22/02/17</a>		Disagrees with AIG that clause 10.1(c) is confusing and purports to deal with over-award payments. Opposes removal of clause. Suggested wording provided.	Paras 4-6	
	SDA	<a href="#">ReplySub-24/02/17</a>		Agrees with amended clause proposed by AWU.	Paras 4-6	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
6	SDA	<a href="#">Sub-18/01/17</a>	10.7	<b>Part-time employees</b> Notes use of ' <i>minimum hourly rate</i> '. Refers to previous submissions regarding this term.	Pages 2 and 6	
	AWU	<a href="#">Sub-20/01/17</a>		Submits ' <i>minimum hourly rate</i> ' may cause confusion. Current wording should be retained or that other wording be inserted.	Paras 3-4	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not agree with AWU and SDA.	Paras 6-7	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Disagree with AWU's submission that phrase ' <i>minimum hourly rate</i> ' may cause confusion, noting <a href="#">[2015] FWCFB 4658</a> .	Para 11.1	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Disagrees with AWU's submission regarding phrase ' <i>minimum hourly rate</i> ', referring to paras [42]-[43] of <a href="#">[2015] FWCFB 4658</a> .	Para 2.14	
	SDA	<a href="#">ReplySub-24/02/17</a>		Reference to ' <i>minimum hourly rate</i> ' may be confusing.	Paras 2-3	
7	AIG	<a href="#">Sub-18/01/17</a>	11.1	<b>Casual employment</b> Delete words ' <i>and paid</i> '. Unnecessary and may be a substantive change.	Paras 86-87	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.2	
	SDA	<a href="#">ReplySub-24/02/17</a>		Does not object to addition of ' <i>and paid</i> '.	Para 7	
8	AIG	<a href="#">Sub-18/01/17</a>	11.1	<b>Casual employment</b> Phrase ' <i>A casual employee will be paid</i> ' should be numbered as a separate clause.	Para 88	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
9	SDA	<a href="#">Sub-18/01/17</a>	11.1(a)	<b>Casual employment</b> Notes use of ' <i>minimum hourly rate</i> '. Refers to previous submissions regarding this term.	Page 2 and 6	
	AWU	<a href="#">Sub-20/01/17</a>		Comments that term ' <i>minimum hourly rate</i> ' may cause confusion. Submits current wording should be retained or that other wording be inserted.	Paras 3-4	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not agree with AWU and SDA that the term ' <i>minimum hourly rate</i> ' is either confusing or inappropriate. Its insertion is consistent with approach taken by Commission in all EDs.	Paras 6-7	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Disagree with AWU's submission that term ' <i>minimum hourly rate</i> ' may cause confusion, noting <a href="#">[2015] FWCFB 4658</a> .	Para 11.1	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Disagrees with AWU's submission regarding term ' <i>minimum hourly rate</i> ', referring to paras [42]-[43] of <a href="#">[2015] FWCFB 4658</a> .	Para 2.14	
	SDA	<a href="#">ReplySub-24/02/17</a>		Reference to ' <i>minimum hourly rate</i> ' may be confusing.	Paras 2-3	
10	AIG	<a href="#">Sub-18/01/17</a>	12.1	<b>Classifications</b> Drafting error. Words ' <i>set out in</i> ' should be inserted after ' <i>structure</i> '.	Para 89	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.3	
11	AIG	<a href="#">Sub-18/01/17</a>	12.4(a)	<b>Classification definitions - Level 1</b> Heading should read: ' <i>Fast Food Employee Level 1</i> ' for consistency.	Para 90	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.4	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
12	AIG	<a href="#">Sub-18/01/17</a>	12.4(a)(i)	<b>Classification definitions - Level 1</b> Clause substantively deviates from definition in B.1.1 by requiring employee to be engaged in receipt of orders as well as any one of the activities listed for definition to be met. Clause 12.4(a)(i) should be replaced with current B.1.1.	Paras 91-96	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.5	
	SDA	<a href="#">ReplySub-24/02/17</a>		Agrees with AIG's submissions and does not oppose replacement suggested. Suggests sequence of activities be amended, so <i>'receipt of orders'</i> comes before <i>'the preparation'</i> .	Para 8	
13	AIG	<a href="#">Sub-18/01/17</a>	12.4(b)	<b>Classification definitions - Level 2</b> Heading should be amended to read: 'Fast Food Employee Level 2' for consistency.	Para 97	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.4	
14	AIG	<a href="#">Sub-18/01/17</a>	12.4(c)	<b>Classification definitions - Level 3</b> Heading should read: <i>'Fast Food Employee Level 3'</i> for consistency.	Para 98	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.4	
15	AIG	<a href="#">Sub-18/01/17</a>	13.4	<b>Ordinary hours of work</b> Clause should refer to clauses 13, 14 and 21 to retain effect of current clause 25.1.	Paras 99-101	
	SDA	<a href="#">ReplySub-24/02/17</a>		Accepts AIG's position.	Para 9	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
16	SDA	<a href="#">Sub-18/01/17</a>	15	<b>Breaks</b> Proposed wording not as clear as wording currently in award.	Page 8	
	AWU	<a href="#">Sub-20/01/17</a>		Notes that proposed wording has greater potential for misinterpretation than wording currently in award.	Para 5	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Disagree with submissions of SDA and AWU. Support ED wording.	Para 11.2	
	AIG	<a href="#">ReplySub-22/02/17</a>		Agrees with SDA and AWU that drafting is problematic. Refers to paras 102-110 of <a href="#">Sub-18/01/17</a> and variations proposed therein.	Para 9	
17	AIG	<a href="#">Sub-18/01/17</a>	15.1	<b>Breaks during work periods – between 4 and 5 hours</b> Words <i>'between 4 and 5 hours'</i> should be replaced with <i>'4 hours but less than 5 hours'</i> to provide for breaks for an employee who works 4 hours.	Paras 102-104	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.6	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Supports changes proposed by AIG.	Para 80	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Do not agree with AWU and SDA. Support wording in ED. Do not oppose approach adopted by AIG, but do not believe it is necessary.	Para 11.2	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
18	AIG	<a href="#">Sub-18/01/17</a>	15.1	<b>Breaks during work periods – between 5 and 9 hours</b> The words <i>'between 5 and 9 hours'</i> should be replaced with <i>'5 hours but less than 9 hours'</i> to provide for breaks for an employee who works 5 hours.	Paras 105-107	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Supports changes proposed by AIG.	Para 80	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Do not agree with AWU and SDA. Support wording in ED. Do not oppose approach adopted by AIG, but do not believe it is necessary.	Para 11.2	
19	AIG	<a href="#">Sub-18/01/17</a>	15.1	<b>Breaks during work periods – between 5 and 9 hours</b> The words <i>'one meal break of between 30 and 60 minutes'</i> should be replaced with wording currently in award, so a meal break of 30 minutes can satisfy the clause.	Paras 108-110	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.6	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Supports changes proposed by AIG.	Para 80	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
20	AIG	<a href="#">Sub-18/01/17</a>	16.1	<b>Minimum wage</b> Read literally, clause purports to require payment of minimum weekly rate to all employees including part-time and casual employees. The words ' <i>full-time employee</i> ' should be inserted under ' <i>minimum weekly wage</i> ' in the table so the award is simple and easy to understand.	Paras 111-113	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.7	
21	SDA	<a href="#">Sub-18/01/17</a>	16.1	<b>Minimum Wage</b> Submits addition of ' <i>adult</i> ' is unnecessary. Use of ' <i>minimum</i> ' is inappropriate and reference needs to be made to the appropriate classification.	Pages 8-9	
	AWU	<a href="#">Sub-20/01/17</a>		Submits insertion of ' <i>adult</i> ' is unnecessary and word should be removed.	Para 6	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not agree with SDA regarding insertion of words ' <i>adult</i> ' and ' <i>minimum</i> '. Does not agree with AWU's submission regarding the word ' <i>adult</i> '. Issue identified by SDA, to the extent that it relates to payment of overtime and penalty rates, does not arise since the preamble in clause 16.1 refers to ordinary hours of work.	Para 10-11	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Does not agree with AWU and SDA that word ' <i>adult</i> ' should be deleted.	Para 81	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Oppose deletion of word ' <i>adult</i> '.	Para 11.3	



ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
22	SDA	<a href="#">Sub-18/01/17</a>	16.3	<b>Payment of wages</b> Does not oppose addition of a Note specifying the regulations.	Page 9	
23	SDA	<a href="#">Sub-18/01/17</a>	16.4	<b>Supported wage system</b> Opposes addition of description of relevant employees. It could adversely impact disabled employees not on a supported wage.	Page 9-10	
	AIG	<a href="#">ReplySub-22/02/17</a>		Would not oppose amendment to clause such that it states only ' <i>Schedule C – Supported Wage System</i> '.	Para 12	
24	AIG	<a href="#">Sub-18/01/17</a>	17.1(a)	<b>Broken Hill allowances</b> The deleted phrase ' <i>the exigencies of</i> ' should be reinserted, since inclusion of district allowances in modern awards and the basis upon which they may be permitted is a live issue in the Review. This phrase was relevant to past Federal Court proceedings and may be relevant in future proceedings.	Paras 114-117	
25	SDA	<a href="#">Sub-18/01/17</a>	17.1(a)	<b>Broken Hill Allowance</b> Notes reference to % is included in B.1.1.	Page 10	
26	SDA	<a href="#">Sub-18/01/17</a>	17.1(b)	<b>Cold work disability allowance</b> Notes reference to % is included in B.1.1.	Page 10	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
27	AIG	<a href="#">Sub-18/01/17</a>	17.1(b)	<b>Cold work disability allowance</b> The words ' <i>while so employed</i> ' should be inserted at the end of the clause, since their absence results in a substantive change.	Paras 118-121	
	AWU	<a href="#">ReplySub-22/02/17</a>		Disagrees with AIG submission that ED wording could result in an employee being eligible to receive cold work disability allowance as long as the employee undertakes cold work 'at some point in time'. Highlights word ' <i>principally</i> ' in clause 17.1(b)(i) to support argument.	Paras 7-8	
	SDA	<a href="#">ReplySub-24/02/17</a>		Does not agree with AIG's submissions.	Para 10	
28	SDA	<a href="#">Sub-18/01/17</a>	17.2(a)(i)	<b>Meal allowance</b> Submits clause reads with difficulty and proposes alternative wording.	Page 11	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Do not believe alternative wording is necessary, but if it is adopted, ' <i>they</i> ' should be deleted and ' <i>the employee</i> ' inserted for consistency.	Para 11.4	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not oppose amendment proposed by SDA.	Para 13	
29	AIG	<a href="#">Sub-18/01/17</a>	17.2(d)(i)	<b>Travelling time reimbursement</b> Clause effectively increases entitlement, so first bullet point under clause should be replaced with alternative wording provided.	Paras 122-124	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.9	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
30	AIG	<a href="#">Sub-18/01/17</a>	17.2(d)(ii)	<b>Travelling time reimbursement</b> Clause substantively alters entitlement so should be amended as per alternative wording provided.	Paras 125-127	
	BusSA	<a href="#">Sub-18/01/17</a>		ED changes legal effect of clause. Submits current award cl 21.5(b) be retained. Also suggests alternative clause wording.	Para 2.1	
	AWU	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG and BusSA that under current award travel time reimbursement is to apply to time spent travelling from the pickup point to work, and travelling from work back to the pickup point.	Para 9	
	AIG	<a href="#">ReplySub-22/02/17</a>		Agrees with BusSA's that ED has altered legal effect of current provision and supports retention current clause.	Para 14	
	SDA	<a href="#">ReplySub-24/02/17</a>		Acknowledges AIG has identified drafting that alters entitlement. Suggests draft wording be settled prior to or during conferences.	Para 11	
31	AIG	<a href="#">Sub-18/01/17</a>	20.1(a)(i)	<b>Overtime</b> The word ' <i>ordinary</i> ' should be inserted after '38' each time it appears in clause 20.1(a).	Para 128	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submissions.	Para 2.10	
	AWU	<a href="#">ReplySub-22/02/17</a>		Opposes AIG's submission. EA reflects current award so no need to amend it.	Para 10	
	SDA	<a href="#">ReplySub-24/02/17</a>		Does not support AIG's submission. In the absence of a clear explanation of reasoning, SDA is concerned about unintended consequences.	Para 12	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
32	AIG	<a href="#">Sub-18/01/17</a>	20.2(a)	<b>Monday to Saturday – all employees</b> The words ' <i>all employees</i> ' should be deleted. Issue of whether overtime rates are payable under the award to casual employees has been referred to the casual and part-time common issues Full Bench.	Paras 129-130	
	SDA	<a href="#">ReplySub-24/02/17</a>		Submits inclusion of ' <i>all employees</i> ' merely identifies that all employees (i.e. permanent and casual) are entitled to the same overtime rates for Mondays to Saturdays and for Sundays.	Para 13	
33	AIG	<a href="#">Sub-18/01/17</a>	20.2(b)	<b>Sunday – all employees</b> The words ' <i>all employees</i> ' should be deleted. Issue of whether overtime rates are payable under the award to casual employees has been referred to the casual and part-time common issues Full Bench.	Paras 131 - 132	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG's submission that the words ' <i>all employees</i> ' should not be used and notes wording does not appear in current award.	Para 84	
	SDA	<a href="#">ReplySub-24/02/17</a>		Submits inclusion of ' <i>all employees</i> ' merely identifies that all employees (i.e. permanent and casual) are entitled to the same overtime rates for Mondays to Saturdays and for Sundays.	Para 13	
34	AWU	<a href="#">Sub-20/01/17</a>	21	<b>Casual loading</b> Notes that amendments change way in which casual loading is calculated when penalties apply, such as during evenings and on Saturdays and Sundays.	Para 7	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Unsure of basis of AWU's contentions.	Para 2.15	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
35	SDA	<a href="#">Sub-18/01/17</a>	21.1	<b>Penalty Rates – Evening work Monday to Friday</b> Notes the amendment alters the methodology in calculating the casual loading in penalty applicable times such as the late night shift.	Page 14	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Does not agree with SDA and AWU that ED changes methodology of calculating casual loading.	Para 82	
	AIG	<a href="#">ReplySub-22/02/17</a>		Brevity of SDA and AWU's submissions makes it difficult to respond properly. May seek further opportunity to respond when unions' position and rationale better understood.	Paras 15-16	
36	SDA	<a href="#">Sub-18/01/17</a>	21.2	<b>Penalty Rates – Saturday work</b> Notes amendment changes methodology in calculating casual loading in penalty applicable times such as Saturday work.	Page 15	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Does not agree with SDA and AWU that ED changes methodology of calculating casual loading.	Para 82	
	AIG	<a href="#">ReplySub-22/02/17</a>		Brevity of SDA and AWU's submissions makes it difficult to respond properly. May seek further opportunity to respond when unions' position and rationale better understood.	Paras 17-18	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
37	ABI & NSWBC	<a href="#">Sub-18/01/17</a>	21.3	<b>Penalty rates – Sunday work</b> <i>In response to question raised by Commission</i> Submit that the penalty rates are payable for ordinary hours worked on these days and that the overtime at 200% under clause 20.2(b) is in substitution for and not cumulative on the Sunday penalties of 150% and 175% under this award. Notes this is consistent with pre-reform award and State award.	Paras 12.1-12.2	
	SDA	<a href="#">Sub-18/01/17</a>		There is an inconsistency between the overtime rate on a Sunday at 20.2(b) and the Sunday penalty rate for ordinary time at 21.3. Proposes an insertion at clause 21 to show the 150% penalty applies to ordinary time worked on Sundays.	Page 15	
	AWU	<a href="#">Sub-20/01/17</a>		Submits clauses 21.3 and 20.2(b) conflict and may cause confusion; reference should be made to the ordinary Sunday rate in clause 21.	Paras 8-9	
	AWU	<a href="#">ReplySub-22/02/17</a>		Agrees with BusSA that clause 21.3 should be altered to provide clarity on interaction between penalty rates and overtime rates for Sunday work. Supports amendments to clause 21.3 proposed by BusSA.	Para 11	
	AFEI	<a href="#">ReplySub-22/02/17</a>		Agrees with ABI & NSWBC's submission.	Para 83	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
38	BusSA	<a href="#">Sub-18/01/17</a>	21.3(a) and (b)	<b>Penalty rates – Sunday work</b> Submits subclauses (a) and (b) should be amended by replacing ‘... <i>hours of work</i> ...’ with ‘... <i>ordinary hours worked</i> ...’ to improve clarity.	Para 2.2	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not oppose BusSA’s proposal.	Para 19	
39	BusSA	<a href="#">Sub-18/01/17</a>	21.3(a) and (b)	<b>Penalty rates – Sunday work</b> Remove the word ‘A’ from the beginning of subclauses (a) and (b).	Para 2.2	
	AIG	<a href="#">ReplySub-22/02/17</a>		Agrees with BusSA’s submission..	Para 20	
40	BusSA	<a href="#">Sub-18/01/17</a>	22	<b>Leave and Public Holidays – Annual leave</b> <i>In response to question raised by Commission</i> Submits reference to shiftworkers should be removed.	Para 2.4	
	SDA	<a href="#">Sub-18/01/17</a>		Opposes removal of shiftworker provisions as this provision may apply to certain employees.	Page 15	
	AWU	<a href="#">Sub-20/01/17</a>		Opposes removal of shiftworker provisions on basis that their removal may disadvantage some employees if those provisions apply to them.	Para 10	
41	SDA	<a href="#">Sub-18/01/17</a>	32	<b>Transfer to lower paid job on redundancy</b> Suggests current title in award be retained.	Page 19	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Supports ED wording.	Para 11.5	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not oppose SDA’s submission but notes issue may be more appropriately dealt with by plain language re-drafting.	Para 21	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
42	AIG	<a href="#">Sub-18/01/17</a>	Schedule A 1.1	<b>Full-time and part-time employees – ordinary and penalty rates</b> The words <i>'Monday – Friday'</i> should be inserted under the <i>'Evening work'</i> headings to clarify that the rates are not payable on weekends.	Para 133	
	AWU	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG..	Para 12	
	SDA	<a href="#">ReplySub-24/02/17</a>		Does not oppose AIG's proposed amendment.	Para 14	
43	AIG	<a href="#">Sub-18/01/17</a>	Schedule A.2.1	<b>Casual employees other than shiftworkers – ordinary and penalty rates</b> The words <i>'other than shiftworkers'</i> in the heading should be deleted as they are unnecessary.	Para 134	
44	AIG	<a href="#">Sub-18/01/17</a>	Schedule A.2.1	<b>Casual employees other than shiftworkers – ordinary and penalty rates</b> The words <i>'Monday – Friday'</i> should be inserted under the <i>'Evening work'</i> headings to clarify that the rates are not payable on weekends.	Para 135	
	AWU	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG on this point.	Para 13	
	SDA	<a href="#">ReplySub-24/02/17</a>		Does not oppose AIG on this point.	Para 14	



ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
45	AIG	<a href="#">Sub-18/01/17</a>	Schedule A.3.1	<b>Full-time and part-time junior employees – ordinary and penalty rates</b> The words <i>'Monday – Friday'</i> should be inserted under the <i>'Evening work'</i> headings to clarify that the rates are not payable on weekends.	Para 136	
	AWU	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG.	Para 14	
	SDA	<a href="#">ReplySub-24/02/17</a>		Does not oppose AIG's proposed amendment.	Para 14	
46	AIG	<a href="#">Sub-18/01/17</a>	Schedule A.3.3	<b>Casual junior employees – ordinary and penalty rates</b> The words <i>'Monday – Friday'</i> should be inserted under the <i>'Evening work'</i> headings to clarify that the rates are not payable on weekends.	Para 137	
	AWU	<a href="#">ReplySub-22/02/17</a>		Agrees with AIG..	Para 15	
47	SDA	<a href="#">Sub-18/01/17</a>	Schedule A	<b>Summary of Hourly Rates of Pay</b> Does not oppose inclusion of summary hourly rates of pay tables, but does not agree with the casual rates percentages for penalty rates times (A2, A.3.3).	20	
	AIG	<a href="#">ReplySub-22/02/17</a>		Opposes SDA's submissions.	Para 22	

ITEM	PARTY	DOCUMENT	CLAUSE (exposure draft)	SUMMARY OF ISSUE	THEIR REFERENCE	NOTES
48	SDA	<a href="#">Sub-18/01/17</a>	Schedule B.2.1	<b>Expense-related Allowances – Meal Allowance</b> Replace <i>'Further four hours overtime'</i> with <i>'Where overtime exceeds four hours an additional allowance'</i> .	Page 20	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Agrees with SDA's submissions.	Para 2.12	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Do not consider amendments proposed by SDA necessary. ED wording sufficient.	Para 11.6	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not oppose SDA's proposed amendment.	Page 8	
49	SDA	<a href="#">Sub-18/01/17</a>	Schedule B.2.1	<b>Expense-related Allowances – Transport Allowance</b> Delete <i>'other than primarily delivery duties'</i> under Transport Allowance. Replace <i>'primarily delivery duties'</i> with <i>'Where an employee is engaged primarily to perform delivery duties'</i> .	Page 20	
	BusSA	<a href="#">ReplySub-22/02/17</a>		Disagrees with SDA.	Para 2.16	
	ABI & NSWBC	<a href="#">ReplySub-22/02/17</a>		Do not consider amendments proposed by SDA necessary. ED wording sufficient.	Para 11.6	
	AIG	<a href="#">ReplySub-22/02/17</a>		Does not consider amendments proposed by SDA necessary.	Para 24	

**List of abbreviations (in alphabetical order)**

ABI & NSWBC	Australian Business Industrial & New South Wales Business Chamber Ltd
AFEI	Australian Federation of Employers and Industries
AIG	Australian Industry Group
AWU	The Australian Workers' Union
BusSA	Business SA
ED	Exposure Draft
SDA	Shop Distributive and Allied Employees' Association